

1 Michael D. Braun (167416)  
 2 BRAUN LAW GROUP, P.C.  
 2 12304 Santa Monica Blvd., Suite 109  
 3 Los Angeles, CA 90025  
 3 Tel: (310) 442-7755  
 4 Fax: (310) 442-7756

4 **Liaison Counsel for Plaintiff and the Class**

5 Maya Saxena  
 6 Joseph E. White, III  
 6 SAXENA WHITE P.A.  
 7 2424 North Federal Highway, Suite 257  
 7 Boca Raton, FL 33431  
 8 Tel: (561) 394-3399  
 8 Fax: (561) 394-3382

9 Kim E. Miller (178370)  
 10 KAHN GAUTHIER SWICK, LLC  
 10 12 East 41st St., 12th Floor  
 11 New York, NY10017  
 11 Tel: (212) 696-3730  
 12 Fax: (504) 455-1498

12 Lewis Kahn  
 13 KAHN GAUTHIER SWICK, LLC  
 13 650 Poydras Street, Suite 2150  
 14 New Orleans, LA 70130  
 14 Tel: (504) 455-1400  
 15 Fax: (504) 455-1498

16 **Co-Lead Counsel for Plaintiff and the Class**

17

18 **UNITED STATES DISTRICT COURT**  
 19 **NORTHERN DISTRICT OF CALIFORNIA**  
 20 **SAN FRANCISCO DIVISION**

21 ADRIAN MONGELI, Individually, And )  
 22 On Behalf Of All Others Similarly Situated, )

23 **CASE NO.: 3-06-CV-03936 CW**

24 **CLASS ACTION**

25 Plaintiff, )  
 26 vs. )  
 27 TERAYON COMMUNICATION )  
 28 SYSTEMS, INC., ZAKI RAKIB, JERRY )  
 28 D. CHASE, MARK A. RICHMAN, )  
 28 EDWARD LOPEZ, RAY FRITZ, CAROL )  
 28 LUSTENADER, MATTHEW MILLER, )  
 28 SHLOMO RAKIB, DOUG SABELLA, )  
 28 CHRISTOPHER SCHAEPE, MARK )  
 28 SLAVEN, LEWIS SOLOMON, HOWARD )  
 28 W. SPEAKS, ARTHUR T. TAYLOR, )  
 28 DAVID WOODROW, and ERNST & )  
 28 YOUNG, LLP )

29 **PLAINTIFF'S UNOPPOSED MOTION**  
 30 **FOR ADMINISTRATIVE RELIEF TO**  
 31 **FILE A BRIEF IN EXCESS OF THE PAGE**  
 32 **LIMIT SET FORTH BY L.R. 7-2 and 7-4**

33 Defendants. )

1 Lead Plaintiff Adrian Mongeli moves the Court for permission to file a brief of up to 50  
 2 pages, which exceeds the Civil L.R. 7-2(b) and 7-4(b) limit of 25 pages.

3 On September 4, 2008, Lead Plaintiff will move for final approval of settlement of this case  
 4 and for the award of attorneys' fees and reimbursement of expenses. A Final Fairness hearing for  
 5 settlement (scheduled for September 18, 2008) was set by the Court on April 14, 2008. As has been  
 6 the practice in class action securities settlements, and in light of the Local Rules limit of 25 pages  
 7 for briefs, Lead Counsel often submitted two different sets of 25-page briefs (one for final approval  
 8 of the settlement and plan of allocation and another applying for an award of attorney's fees and  
 9 reimbursement of litigation expenses), as well as a Declaration from Lead Counsel that often  
 10 consists of an additional 20 pages. This format for the submissions often created undue  
 11 repetitiveness.

12 Lead Plaintiff requests that he be allowed to submit only one omnibus brief at a maximum of  
 13 45 pages supporting the two motions (for final approval of settlement and for an award of attorneys'  
 14 fees and expenses). Submission of only one brief with Declaration addressing all issues related to  
 15 the final approval of the settlement and plan of allocation and attorneys' fee application will be more  
 16 efficient for the Court and facilitate the review process.

17

Respectfully submitted,

18

Dated: October 28, 2007

Michael D. Braun  
 BRAUN LAW GROUP, P.C.

20

By: /S/ MICHAEL D. BRAUN

21

Michael D. Braun  
 12304 Santa Monica Boulevard, Suite 109  
 Los Angeles, CA 90025  
 Tel: (310) 442-7755  
 Fax: (310) 442-7756

22

**Liaison Counsel for Plaintiff and the Class**

23

Maya Saxena  
 Joseph E. White, III  
 SAXENA WHITE P.A.  
 2424 North Federal Highway, Suite 257  
 Boca Raton, FL 33431  
 Tel: (561) 394-3399  
 Fax: (561) 394-3382

24

25

26

27

28

1 Lewis Kahn  
2 KAHN GAUTHIER SWICK, LLC  
3 650 Poydras Street, Suite 2150  
4 New Orleans, LA 70130  
5 Tel: (504) 455-1400  
6 Fax: (504) 455-1498

7 Kim E. Miller  
8 KAHN GAUTHIER SWICK, LLC  
9 12 East 41st St., 12th Floor  
10 New York, NY10017  
11 Tel: (212) 696-3730  
12 Fax: (504) 455-1498

13 **Co-Lead Counsel for Plaintiff and the Class**

14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

## PROOF OF SERVICE

2 STATE OF CALIFORNIA )  
3 COUNTY OF LOS ANGELES )ss.: )

4 I am employed in the county of Los Angeles, State of California, I am over the age of 18 and  
5 not a party to the within action; my business address is 12304 Santa Monica Boulevard, Suite 109,  
Los Angeles, California 90025.

6 On August 28, 2008, using the Northern District of California's Electronic Case Filing  
7 System, with the ECF ID registered to Michael D. Braun, I filed and served the document(s)  
described as:

**PLAINTIFF'S UNOPPOSED MOTION FOR ADMINISTRATIVE RELIEF TO FILE A  
BRIEF IN EXCESS OF THE PAGE LIMIT SET FORTH BY L.R. 7-2**

10 The ECF System is designed to automatically generate an e-mail message to all parties in the case, which constitutes service. According to the ECF/PACER system, for this case, the parties served are as follows:

11 Lionel Z. Glancy, Esq. [info@glancylaw.com](mailto:info@glancylaw.com)  
12 Michael M. Goldberg, Esq. [info@glancylaw.com](mailto:info@glancylaw.com)  
13 Maya Saxena, Esq. [msaxena@saxenawhite.com](mailto:msaxena@saxenawhite.com)  
14 Kim E. Miller, Esq. [kim.miller@kgscounsel.com](mailto:kim.miller@kgscounsel.com)

## **Counsel for Plaintiffs**

16 Patrick Edward Gibbs, Esq. [patrick.gibbs@lw.com](mailto:patrick.gibbs@lw.com)  
17 [zoila.aurora@lw.com](mailto:zoila.aurora@lw.com)

**Counsel for Defendant**

## **Terayon Communications Systems, Inc. and Individual Defendants**

20 Sheila Anil Jambekar, Esq. sjambekar@morganlewis.com

21 John Henry Hemann, Esq. [hemann@morganlewis.com](mailto:hemann@morganlewis.com)

22 | Michael John Lawson, Esq.

Counsel for Defendant Ernst & Young LLP

On August 27, 2008, I served the document described as:

**PLAINTIFF'S UNOPPOSED MOTION FOR ADMINISTRATIVE RELIEF TO FILE A  
BRIEF IN EXCESS OF THE PAGE LIMIT SET FORTH BY L.R. 7-2**

27 by placing a true copy(ies) thereof in a sealed envelope(s) addressed as follows:

1      Bruce M. Cormier, Esq.  
2      Joel E. Bonner, Esq.  
2      ERNST & YOUNG LLP  
3      1225 Connecticut Avenue, NW  
3      Washington, D.C. 20036  
4      Tel: (202) 327-7603  
4      Fax: (202) 327-7601

5 | Counsel for Defendant Ernst & Young LLP

6 I served the document(s):

7 BY MAIL. The envelope(s) was/were mailed with postage thereon fully prepaid. I am  
8 familiar with the firm's practice of collection and processing correspondence for mailing. Under  
9 that practice it would be deposited with U.S. postal service on that same day with postage thereon  
fully prepaid at Los Angeles, California in the ordinary course of business. I am aware that on  
motion of the party served, service is presumed invalid if postal cancellation date or postage meter  
date is more than one day after date of deposit for mailing in an affidavit.

11 I declare, pursuant to Civil L.R. 23-2, that on the date hereof I served a copy of the above-listed document(s) on the Securities Class Action Clearinghouse by electronic mail through the following electronic mail address provided by the Securities Class Action Clearinghouse:

**scac@law.stanford.edu**

14 I am employed in the office of a member of the bar of this Court at whose direction the  
service was made.

15 I declare under penalty of perjury under the laws of the United States that the above is true  
and correct.

Executed on August 28, 2008, at Los Angeles, California 90025.

/S/ LEITZA MOLINAR  
Leitza Molinar